

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

JUDGMENT IN A CIVIL CASE

Mark A. Auxier,	:	
	:	
Plaintiff	:	Case No. 2:07-cv-01271
	:	
v.	:	Judge Marbley
	:	
Michael J. Astrue,	:	Magistrate Judge
Commissioner of Social Security,	:	
	:	
Defendant	:	
	:	

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☐ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

☒ **Decision by Court.** This action was decided by the Court without a trial or hearing.

IT IS ORDERED AND ADJUDGED That pursuant to the February 26, 2009 Order, the Report and Recommendation is ADOPTED. Judgment is entered remanding this case to the Commissioner to consider whether plaintiff Auxier meets or equals Listing 2.07.

Date: **February 26, 2009**

James Bonini, Clerk

s/Betty L. Clark

Betty L. Clark/Deputy Clerk